



California Fair Political Practices Commission

December 28, 1987

Ruta Dianne Aldridge, Associate Director
California Task Force to Promote Self-Esteem,
And Personal and Social Responsibility
1130 K Street, Suite 300
Sacramento, CA 95814

Re: Your Request for Advice
Our Advice File No. A-87-303

Dear Ms. Aldridge:

You have requested advice regarding your agency's duties under the conflict of interest code provisions of the Political Reform Act.^{1/}

QUESTION

Is the Task Force to Promote Self Esteem required to adopt and promulgate a conflict of interest code?

CONCLUSION

The California Task Force to Promote Self Esteem is an agency making or participating in the making of decisions which could affect the members' economic interests. Therefore, the agency must adopt a conflict of interest code.

FACTS

The California Task Force to Promote Self Esteem and Personal and Social Responsibility is a new agency in state government designed to conduct research and study the correlation between self esteem and social problems such as crime, violence, child abuse and welfare dependency. The task force will identify governmental and private agencies who provide services or programs to promote healthy self esteem and then inform the public of the services and programs available to them. The task force will provide a report to the Governor

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Administrative Code Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Administrative Code.

and the Legislature outlining their research findings and make recommendations to implement a public awareness program.

The 25-member task force is comprised of the Attorney General, the Superintendent of Public Instruction, the Secretary of the Youth and Adult Correctional Agency, the Secretary of Health and Welfare or their designees. The Senate Rules Committee and the Speaker of the Assembly each appoint six members and the Governor appoints the remaining nine members. The appointing powers are encouraged to appoint persons with background in law enforcement, corrections, mental health, social science, education, religion, organizational development, psychology, or counseling, media, and community-based service organizations.

The task force has a \$245,000 annual budget and will be applying for federal or local grants of up to \$500,000 to accomplish its tasks. It is anticipated that the task force will be abolished by January 1, 1991.

ANALYSIS

Section 87300 provides that every agency shall adopt and promulgate a conflict of interest code. Section 87302 requires that every code specifically enumerate the positions within the agency that make or participate in the making of decisions which may affect the economic interests of those holding the positions. It also requires that, for each position enumerated, the conflict of interest code describe the types of financial interests to be disclosed by those designated positions.

It appears that the task force's members will be making or participating in the making of decisions that may affect their financial interests. In the process of selecting an entity to conduct research or survey services, it is conceivable that a task force member may have an economic interest in such an entity. A conflict of interest situation could exist if that member participates in making the decision to select an entity to provide those research services. A suggested disclosure category could read: "Investments and business positions in, and income from, business entities or nonprofit organizations which provide consulting, surveying or research services of the type to be utilized by the task force."

The task force will be compiling a list of entities providing programs which develop healthy self esteem and promoting these programs to the public. Therefore, the task force members should disclose their interests in organizations

Ruta Dianne Aldridge
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which provide programs or services that promote healthy self esteem as well as entities which provide media or advertising services.

Since we have determined that a conflict of interest code must be developed for the California Task Force on Self Esteem, that code should be developed and submitted to the Fair Political Practices Commission no later than June 29, 1988. (Section 87303.) The basic process is to prepare the proposed conflict of interest code and to provide notice to all persons affected by the code for a 45-day comment period. After the comment period, the proposed code, as well as certain supporting documentation, is submitted to the Fair Political Practices Commission for review and approval. The exact procedure is described in Commission Regulation 18750 which is enclosed.

Once you have reviewed the procedure described in the regulation, if you wish to discuss it further, please feel free to give me a call at (916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel

By: Jeanette E. Turvill
Legal Assistant

JET:jaj
Enclosure

CALIFORNIA TASK FORCE TO
PROMOTE SELF-ESTEEM, and
PERSONAL and SOCIAL RESPONSIBILITY

1130 K Street, Suite 300
Sacramento, California 95814

Nov 30 2 41 PM '87



November 25, 1987

Ms. Diane M. Griffiths
General Counsel
Fair Political Practices Commission
Legal Division
428 J Street, Suite 800
Sacramento, CA 95814

Dear Ms. Griffiths:

The Task Force to Promote Self-Esteem is a new agency and as such is not covered by a conflict of interest code. We are unable to determine whether or not we must adopt a conflict of interest code for the Task Force.

Enclosed is a copy of our enabling legislation, Chapter 1065 (Statutes 1986.) Please review these materials and advise us as to our obligations under the Conflict of Interest Provisions of the Political Reform Act.

Please call 322-0236 if you have any questions regarding this request.

Sincerely,

Ruta Dianne Aldridge

Ruta Dianne Aldridge
Associate Director

enclosure

87-303

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

CALIFORNIA TASK FORCE TO
PROMOTE SELF-ESTEEM, and
PERSONAL and SOCIAL RESPONSIBILITY

1130 K Street, Suite 300
Sacramento, California 95814

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Nov 30 2 17 PM '87



November 25, 1987

Ms. Diane M. Griffiths
General Counsel
Fair Political Practices Commission
Legal Division
428 J Street, Suite 800
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Please call 322-0236 if you have any questions regarding this request.

Sincerely,

Ruta Dianne Aldridge

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Associate Director

enclosure



California Fair Political Practices Commission

December 4, 1987

Ruta Dianne Aldridge
California Task Force to Promote
Self-Esteem and Personal
Responsibility
1130 K Street, Suite 300
Sacramento, CA 95814

Re: 87-303

Dear Ms. Aldridge:

Your letter requesting advice under the Political Reform Act was received on November 30, 1987 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths
General Counsel *by KED*

DMG:plh